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If these societies had for their object merely the protection of the lower animals, though they might be benevolent, they could hardly be called philanthropic, or charitable. But the court considered that the advancement of morals among men was also involved in their object, and that they were therefore brought within the term charity. So, a Society for the Prevention of Cruelty to Animals, a Home for Lost Dogs, a Society for Protection of Animals liable to Vivisection, (35 Ch. D. 472), and an institution for studying and curing diseases of beasts and birds useful to man, (1 De G. & Jo. 72), have been held charitable.

TRUSTS—FRAUDULENT SALE—FOLLOWING PROCEEDS.—Plaintiff was induced by the fraud of B to sell him sugar on credit. B resold on credit and later made an assignment for the benefit of creditors. Plaintiff then, on discovering the fraud, sued B's assignee for the proceeds of the resales. The particular proceeds could be identified. *Held*, plaintiff has an equitable lien on the proceeds. *American Sugar-Refining Co. v. Fancher*, 40 N. E. Rep. 206 (N. Y.).

The case is interesting as involving a constructive trust of the proceeds of personal property, where the trustee was neither a fiduciary nor a wrongdoer who lacked title *ab initio*. The trust was, however, properly implied because of the fraud, and equity "makes use of the machinery of a trust for the purpose of affording redress in cases of fraud." *Bispham on Equity*, § 91. Given the trust, the proceeds, if identified, can be followed. *Newton v. Porter*, 69 N. Y. 133.

REVIEWS.

COMMENTARIES ON THE LAW OF PRIVATE CORPORATIONS. By Seymour D. Thompson, LL. D. San Francisco : Bancroft-Whitney Co. 1895. 8vo. 6 vol.

It is unsatisfactory to make comment upon a work of such importance and magnitude as Thompson on Corporations, before the work is given to the public in its completeness; for any judgment passed on the scope and thoroughness of the treatment of the Law of Corporations, when two of the six volumes have yet to appear, must necessarily lack finality. Therefore it has been deemed best to postpone consideration of this publication until it can be reviewed as a whole. The last volume is announced for publication in November.

MUNICIPAL HOME RULE. A Study in Administration. By Frank J. Goodnow, A. M., LL. B., Professor of Administrative Law in Columbia College. New York and London: Macmillan & Co. 1895. 8vo. pp. xxiv, 283.

The only objectionable thing about this book is its title, which gives no adequate idea of the nature or value of the contents. The author has given the reader not only a thoughtful treatise on the proper sphere of municipal action, but also an admirable summary of the present state of the law. There is no other book which contains so valuable a statement, in so small a space, of the law on certain elementary points relative to municipal corporations. Chapters VI. to XI. (both inclusive) fully justify the hope modestly expressed in the Preface, that the book may be useful from the legal as well as from the political point of view. These chapters discuss the liability of municipal corporations for torts, and the degree of protection afforded to municipal property by the constitutional provisions respecting private property. This part of the book forms an admirable introduction to what Professor Goodnow aptly terms the "great work" of

Judge Dillon. The conspicuous merit of what may be called "the legal chapters" consists in their clear statement of the various and conflicting theories heretofore acted upon by different courts. The present state of the legal controversy as to these important open questions is depicted here in vivid colors and with a due sense of proportion. While the author does not conceal his individual views, he also gives a fair statement of all the prominent theories and a reference to a sufficient number of illustrative cases. The work cannot fail to be of great service to the legal profession.

J. S.

A MANUAL OF PUBLIC INTERNATIONAL LAW. By Thomas Alfred Walker, M. A., LL. D., Fellow and Lecturer of Peterhouse, Cambridge. New York: Macmillan & Co. 1895. 8vo. pp. xxviii, 244.

HANDBOOK OF INTERNATIONAL LAW. By Captain Edwin F. Glenn, Acting Judge Advocate U. S. A. St. Paul: West Publishing Co. 1895 [Hornbook Series]. 8vo. pp. xix, 478.

International Law is a branch of science ill fitted for manual instruction; one easily sees that, so entirely has it been developed by reasoning and discussion, its study requires headwork and headbooks rather than handbooks. And indeed it has until lately been blessed by an absence of the latter class of literature, — a boon that was not sufficiently realized. But blessings brighten as they take their flight.

Of what use these books (both said to be designed for the use of students) can be to persons who really desire to learn is not quite clear. Dr. Walker intends his book to "serve as a fairly comprehensive general introduction to detailed study of the subject." Captain Glenn suggests that he wishes "to prepare the student's mind for the more ready and complete comprehension" of the exhaustive treatises on the subject. A man who understands the English language, has some knowledge of history, and is sufficiently mature to comprehend the nature of the considerations involved in an international question, is quite qualified to use Wheaton, Calvo, or Hall; one who has not these qualifications could get no help from Dr. Walker or Captain Glenn. As such books must, these handbooks save the readers the burden of struggling with difficulties by the device of stating, as a rule, only what is plain and undisputed. To quote Captain Glenn again, "it is not intended to follow and discuss these principles in their many ramifications of actual practice."

But judging, as we ought, with relation to other books of the same class, one must say that Dr. Walker's book is well done. Originality is of course not to be looked for (as Captain Glenn naively remarks in his Preface), and one should therefore not quarrel with Dr. Walker, as some have done, for following too blindly his English predecessors; though the effect of this course is sometimes a little surprising, when a peculiarly English idea, reduced to lowest terms, is confronted with the real facts.

Thus the English notion of International Law — that it is a mere *précis* of the actual present practice of nations as seen through the spectacles of the British Foreign Office — leads Dr. Walker into the delicious absurdity of the following statements, *à propos* of the partition of Poland: "International Law, it is true, rests upon practice, and accordingly wha ever rules *do* secure the general adhesion of civilized states must by the lawyer be classed as law. But moral injustice *cannot* secure such general adhesion. And accordingly, although interventions under sanction of the European Concert have been fairly frequent, they have been